



General Assembly

**Substitute Bill No. 5675**

January Session, 2009

\* \_\_\_\_\_ HB05675AGEBA\_030609 \_\_\_\_\_ \*

**AN ACT CONCERNING THE COMMUNICATION OF A SPECIALTY,  
CERTIFICATION OR TRAINING IN ADVISING SENIOR CITIZENS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2009*) (a) No person, as defined in  
2       section 42-110a of the general statutes, shall use a certificate,  
3       professional designation or form of advertising expressing or implying  
4       in an untrue, deceptive, misleading or false manner that such person  
5       has special training, education or experience in advising or servicing  
6       senior citizens in connection with the solicitation, negotiation or sale of  
7       any stock, bond, mutual fund, annuity or other financial product.

8       (b) Subsection (a) of this section shall not apply to any person who  
9       has obtained a certificate, title or designation through completion of a  
10      course of study (1) resulting in the awarding of an academic degree to  
11      such person that is from an accredited institution of higher education  
12      and is in a field related to the activity described in subsection (a) of this  
13      section, as determined by the Commissioner of Consumer Protection,  
14      provided the certificate, title or designation is not used in an untrue,  
15      deceptive, misleading or false manner, or (2) provided by an  
16      organization accredited by the American National Standards Institute  
17      or the National Commission for Certifying Agencies, an organization  
18      recognized as an accrediting agency by the United States Department  
19      of Education pursuant to the Higher Education Act of 1965, 20 USC

20 1099b, as amended from time to time, or any other organization  
21 approved by the Commissioner of Consumer Protection, provided the  
22 certificate, title or designation is not used in an untrue, deceptive,  
23 misleading or false manner.

24 (c) A violation of subsection (a) of this section shall be deemed an  
25 unfair or deceptive trade practice under subsection (a) of section 42-  
26 110b of the general statutes.

27 Sec. 2. Section 36b-4 of the general statutes is repealed and the  
28 following is substituted in lieu thereof (*Effective July 1, 2009*):

29 (a) No person shall, in connection with the offer, sale or purchase of  
30 any security, directly or indirectly: (1) Employ any device, scheme or  
31 artifice to defraud; (2) make any untrue statement of a material fact or  
32 omit to state a material fact necessary in order to make the statements  
33 made, in the light of the circumstances under which they are made, not  
34 misleading, or (3) engage in any act, practice, or course of business  
35 which operates or would operate as a fraud or deceit upon any person.

36 (b) No person shall, in connection with the offer, sale or purchase of  
37 any security, directly or indirectly engage in any dishonest or unethical  
38 practice.

39 (c) No person shall, in connection with the offer, sale or purchase of  
40 any security, directly or indirectly use a certificate, professional  
41 designation or form of advertising expressing or implying in an  
42 untrue, deceptive, misleading or false manner that such person has  
43 special training, education or experience in advising or servicing senior  
44 citizens, unless such person has obtained a certificate, title or  
45 designation through completion of a course of study (1) resulting in  
46 the awarding of an academic degree to such person that is from an  
47 accredited institution of higher education and is in a field related to the  
48 activity described in this subsection, as determined by the  
49 commissioner, provided the certificate, title or designation is not used  
50 in an untrue, deceptive, misleading or false manner, or (2) provided by

51 an organization accredited by the American National Standards  
52 Institute or the National Commission for Certifying Agencies, an  
53 organization recognized as an accrediting agency by the United States  
54 Department of Education pursuant to the Higher Education Act of  
55 1965, 20 USC 1099b, as amended from time to time, or any other  
56 organization approved by the commissioner provided the certificate,  
57 title or designation is not used in an untrue, deceptive, misleading or  
58 false manner.

59 Sec. 3. Subsection (a) of section 36b-7 of the general statutes is  
60 repealed and the following is substituted in lieu thereof (*Effective July*  
61 *1, 2009*):

62 (a) (1) A broker-dealer, agent, investment adviser or investment  
63 adviser agent may obtain an initial or renewal registration by filing  
64 with the commissioner or other depository as the commissioner may  
65 by regulation or order designate an application together with a consent  
66 to service of process pursuant to subsection (g) of section 36b-33.

67 (2) The application shall require that the broker-dealer, agent,  
68 investment adviser or investment adviser agent state whether such  
69 person will use a certificate, professional designation or form of  
70 advertising expressing or implying that such person has special  
71 training, education or experience in advising or servicing senior  
72 citizens during the period for which registration is sought. If such  
73 broker-dealer, agent, investment adviser or investment adviser agent  
74 intends to use such certificate, professional designation or form of  
75 advertising, such person shall also state on the application what course  
76 of study such person has completed and whether such person has been  
77 awarded an academic degree described in subsection (c) of section 36b-  
78 4, as amended by this act, or a certificate from an organization listed in  
79 said subsection (c). The application shall also contain such other  
80 information as the commissioner may require.

81 Sec. 4. Section 36b-12 of the general statutes is repealed and the  
82 following is substituted in lieu thereof (*Effective July 1, 2009*):

83 (a) (1) Each person applying for registration as a broker-dealer or  
84 investment adviser shall pay to the commissioner or to any person  
85 designated by the commissioner in writing to collect such fee on behalf  
86 of the commissioner, a nonrefundable fee of two hundred fifty dollars.

87 (2) Each such person applying for such registration who states on  
88 such person's application submitted in accordance with subsection (a)  
89 of section 36b-7, as amended by this act, that such person will use a  
90 certificate, professional designation or form of advertising expressing  
91 or implying that such person has special training, education or  
92 experience in advising or servicing senior citizens shall pay to the  
93 commissioner or to any person designated by the commissioner in  
94 writing to collect such fee on behalf of the commissioner, a  
95 nonrefundable fee of two hundred fifty dollars in addition to the fee  
96 required by subdivision (1) of this subsection.

97 (b) (1) Each person applying for registration as an agent or  
98 investment adviser agent shall pay to the commissioner or to any  
99 person designated by the commissioner to collect such fee on behalf of  
100 the commissioner, a nonrefundable fee of fifty dollars.

101 (2) Each person applying for registration as an agent or investment  
102 adviser agent who states on such person's application submitted in  
103 accordance with subsection (a) of section 36b-7, as amended by this act,  
104 that such person will use a certificate, professional designation or form  
105 of advertising expressing or implying that such person has special  
106 training, education or experience in advising or servicing senior  
107 citizens shall pay to the commissioner or to any person designated by  
108 the commissioner to collect such fee on behalf of the commissioner, an  
109 additional nonrefundable fee of fifty dollars in addition to the fee  
110 required by subdivision (1) of this subsection.

111 (c) Each registration issued pursuant to this section shall expire at  
112 the close of business on December thirty-first of the calendar year in  
113 which the registration became effective.

114 (d) (1) Except as provided in subdivision (2) of this subsection, each  
115 person registered as an agent or investment adviser agent, requesting  
116 transfer of the registration of such agent or investment adviser agent to  
117 another registered broker-dealer or investment adviser, shall pay to  
118 the commissioner or to any person designated by the commissioner in  
119 writing to collect such fee on behalf of the commissioner, a  
120 nonrefundable fee of fifty dollars for each transfer requested.

121 (2) Each broker-dealer or investment adviser receiving a mass  
122 transfer shall pay to the commissioner or to any person designated by  
123 the commissioner in writing to collect such fee on behalf of the  
124 commissioner, a nonrefundable fee of fifty dollars for each agent or  
125 investment adviser agent whose registration is transferred. For  
126 purposes of this subsection, "mass transfer" means a transfer of  
127 multiple agents of a broker-dealer or investment adviser agents of an  
128 investment adviser from a transferring broker-dealer or investment  
129 adviser to a receiving broker-dealer or investment adviser due to a  
130 cessation of business activity, succession, acquisition, merger,  
131 consolidation or other reorganization affecting the transferring broker-  
132 dealer or investment adviser.

133 (e) Each person applying for registration under subsection (a) or (b)  
134 of this section and any registrant applying for renewal of such  
135 registration under section 36b-13, as amended by this act, shall pay the  
136 actual cost, as determined by the commissioner, of any reasonable  
137 investigation or examination made of such applicant or registrant by  
138 or on behalf of the commissioner.

139 Sec. 5. Section 36b-13 of the general statutes is repealed and the  
140 following is substituted in lieu thereof (*Effective July 1, 2009*):

141 (a) (1) Each person registered as a broker-dealer or investment  
142 adviser may renew such registration for a one-year period not later  
143 than December thirty-first of each calendar year by making application  
144 in such manner as prescribed by the commissioner. The application  
145 shall require the broker-dealer or investment adviser to state whether

146 such person will use a certificate, professional designation or form of  
147 advertising expressing or implying that such person has special  
148 training, education or experience in advising or servicing senior  
149 citizens during the period for which registration is sought.

150 (2) The fee for renewal of registration for each registered broker-  
151 dealer or investment adviser shall be one hundred fifty dollars per  
152 renewal application, nonrefundable, payable at the time of renewal,  
153 and shall be submitted, together with the renewal application, to the  
154 commissioner or any person designated in writing by the  
155 commissioner to collect such fee on his behalf.

156 (3) Any broker-dealer or investment adviser who states on the  
157 renewal application that such person will use a certificate, professional  
158 designation or form of advertising expressing or implying that such  
159 person has special training, education or experience in advising or  
160 servicing senior citizens shall pay a nonrefundable fee of one hundred  
161 fifty dollars at the time of renewal in addition to the renewal fee  
162 required under subdivision (2) of this subsection.

163 (b) (1) Each person registered as an agent or investment adviser  
164 agent may renew such registration for a one-year period by December  
165 thirty-first of each calendar year by making application in such manner  
166 as prescribed by the commissioner. The application shall require the  
167 agent or investment adviser agent to state whether such person will  
168 use a certificate, professional designation or form of advertising  
169 expressing or implying that such person has special training, education  
170 or experience in advising or servicing senior citizens during the period  
171 for which registration is sought.

172 (2) The fee for renewal of registration for each person registered as  
173 an agent or investment adviser agent shall be fifty dollars,  
174 nonrefundable, payable at the time of renewal, and shall be submitted,  
175 together with the renewal application, to the commissioner or any  
176 person designated in writing by the commissioner to collect such fee  
177 on his behalf.

178     (3) Any agent or investment adviser agent who states on the  
179     renewal application that such person will use a certificate, professional  
180     designation or form of advertising expressing or implying that such  
181     person has special training, education or experience in advising or  
182     servicing senior citizens shall pay a nonrefundable fee of fifty dollars  
183     at the time of renewal in addition to the renewal fee required under  
184     subdivision (2) of this subsection.

185     (c) Each registrant or person requesting renewal of a registration  
186     shall pay the actual cost, as determined by the commissioner, of any  
187     reasonable investigation or examination made of such person by or on  
188     behalf of the commissioner.

189     Sec. 6. Subsection (a) of section 36b-15 of the general statutes is  
190     repealed and the following is substituted in lieu thereof (*Effective July*  
191     *1, 2009*):

192     (a) The commissioner may, by order, deny, suspend or revoke any  
193     registration or, by order, restrict or impose conditions on the securities  
194     or investment advisory activities that an applicant or registrant may  
195     perform in this state if the commissioner finds that (1) the order is in  
196     the public interest, and (2) the applicant or registrant or, in the case of a  
197     broker-dealer or investment adviser, any partner, officer, or director,  
198     any person occupying a similar status or performing similar functions,  
199     or any person directly or indirectly controlling the broker-dealer or  
200     investment adviser: (A) Has filed an application for registration which  
201     as of its effective date, or as of any date after filing in the case of an  
202     order denying effectiveness, was incomplete in any material respect or  
203     contained any statement which was, in light of the circumstances  
204     under which it was made, false or misleading with respect to any  
205     material fact; (B) has wilfully violated or wilfully failed to comply with  
206     any provision of sections 36b-2 to 36b-33, inclusive, as amended by this  
207     act, or a predecessor statute or any regulation or order under said  
208     sections or a predecessor statute; (C) has been convicted, within the  
209     past ten years, of any misdemeanor involving a security, any aspect of  
210     the securities business, or any felony, provided any denial, suspension

211 or revocation of such registration shall be in accordance with the  
212 provisions of section 46a-80; (D) is permanently or temporarily  
213 enjoined by any court of competent jurisdiction from engaging in or  
214 continuing any conduct or practice involving any aspect of the  
215 securities or commodities business; (E) is the subject of a cease and  
216 desist order of the commissioner or an order of the commissioner  
217 denying, suspending, or revoking registration as a broker-dealer,  
218 agent, investment adviser or investment adviser agent; (F) is the  
219 subject of any of the following sanctions that are currently effective or  
220 were imposed within the past ten years: (i) An order issued by the  
221 securities administrator of any other state, Canadian province or  
222 territory, or by the Securities and Exchange Commission or the  
223 Commodity Futures Trading Commission denying, suspending or  
224 revoking registration as a broker-dealer, agent, investment adviser,  
225 investment adviser agent or a person required to be registered under  
226 the Commodity Exchange Act, 7 USC 1 et seq., as from time to time  
227 amended, and the rules and regulations thereunder, or the substantial  
228 equivalent of those terms, as defined in sections 36b-2 to 36b-33,  
229 inclusive, as amended by this act, (ii) an order of the Securities and  
230 Exchange Commission or Commodity Futures Trading Commission  
231 suspending or expelling such applicant, registrant or person from a  
232 national securities or commodities exchange or national securities or  
233 commodities association registered under the Securities Exchange Act  
234 of 1934 or the Commodity Exchange Act, 7 USC 1 et seq., as from time  
235 to time amended, or, in the case of an individual, an order of the  
236 Securities and Exchange Commission or an equivalent order of the  
237 Commodity Futures Trading Commission barring such individual  
238 from association with a broker-dealer or an investment adviser, (iii) a  
239 suspension, expulsion or other sanction issued by a national securities  
240 exchange or other self-regulatory organization registered under federal  
241 laws administered by the Securities and Exchange Commission or the  
242 Commodity Futures Trading Commission if the effect of the sanction  
243 has not been stayed or overturned by appeal or otherwise, (iv) a  
244 United States Post Office fraud order, or (v) a cease and desist order  
245 entered by the Securities and Exchange Commission, a self-regulatory



246 organization or the securities agency or administrator of any other  
247 state or Canadian province or territory; but the commissioner may not  
248 (I) institute a revocation or suspension proceeding under this  
249 subparagraph more than five years from the date of the sanction relied  
250 on, and (II) enter an order under this subparagraph on the basis of an  
251 order under any other state act unless that order was based on facts  
252 which would constitute a ground for an order under this section; (G)  
253 may be denied registration under federal law as a broker-dealer, agent,  
254 investment adviser, investment adviser agent or as a person required  
255 to be registered under the Commodity Exchange Act, 7 USC 1 et seq.,  
256 as from time to time amended, and the rules and regulations  
257 promulgated thereunder, or the substantial equivalent of those terms  
258 as defined in sections 36b-2 to 36b-33, inclusive, as amended by this  
259 act; (H) has engaged in fraudulent, dishonest or unethical practices in  
260 the securities or commodities business, including abusive sales  
261 practices in the business dealings of such applicant, registrant or  
262 person with current or prospective customers or clients; (I) is insolvent,  
263 either in the sense that the liabilities of such applicant, registrant or  
264 person exceed the assets of such applicant, registrant or person, or in  
265 the sense that such applicant, registrant or person cannot meet the  
266 obligations of such applicant, registrant or person as they mature; but  
267 the commissioner may not enter an order against a broker-dealer or  
268 investment adviser under this subparagraph without a finding of  
269 insolvency as to the broker-dealer or investment adviser; (J) is not  
270 qualified on the basis of such factors as training, experience, and  
271 knowledge of the securities business, except as otherwise provided in  
272 subsection (b) of this section; (K) has failed reasonably to supervise: (i)  
273 The agents or investment adviser agents of such applicant or  
274 registrant, if the applicant or registrant is a broker-dealer or investment  
275 adviser; or (ii) the agents of a broker-dealer or investment adviser  
276 agents of an investment adviser, if such applicant, registrant or other  
277 person is or was an agent, investment adviser agent or other person  
278 charged with exercising supervisory authority on behalf of a  
279 broker-dealer or investment adviser; (L) in connection with any  
280 investigation conducted pursuant to section 36b-26 or any examination

281 under subsection (d) of section 36b-14, has made any material  
282 misrepresentation to the commissioner or upon request made by the  
283 commissioner, has withheld or concealed material information from,  
284 or refused to furnish material information to the commissioner,  
285 provided, there shall be a rebuttable presumption that any records,  
286 including, but not limited to, written, visual, audio, magnetic or  
287 electronic records, computer printouts and software, and any other  
288 documents, that are withheld or concealed from the commissioner in  
289 connection with any such investigation or examination are material,  
290 unless such presumption is rebutted by substantial evidence; (M) has  
291 wilfully aided, abetted, counseled, commanded, induced or procured a  
292 violation of any provision of sections 36b-2 to 36b-33, inclusive, as  
293 amended by this act, or a predecessor statute or any regulation or  
294 order under such sections or a predecessor statute; [or] (N) has failed  
295 to pay the proper filing fee; but the commissioner may enter only a  
296 denial order under this subparagraph, and the commissioner shall  
297 vacate any such order when the deficiency has been corrected. The  
298 commissioner may not institute a suspension or revocation proceeding  
299 on the basis of a fact or transaction known to the commissioner when  
300 the registration became effective unless the proceeding is instituted  
301 within one hundred eighty days of the effective date of such  
302 registration; or (O) has used a certificate, professional designation or  
303 form of advertising expressing or implying in an untrue, deceptive,  
304 misleading or false manner that such person has special training,  
305 education or experience in advising or servicing senior citizens  
306 without completing a course of study as prescribed in subsection (c) of  
307 section 36b-4, as amended by this act.

308 Sec. 7. Section 38a-702b of the general statutes is repealed and the  
309 following is substituted in lieu thereof (*Effective July 1, 2009*):

310 (a) A person shall not sell, solicit or negotiate insurance in this state  
311 for any class or classes of insurance unless the person is licensed for  
312 that line of authority in accordance with sections 38a-702a to 38a-702r,  
313 inclusive, as amended by this act.

314       **(b) No person shall, in connection with the sale, solicitation or**  
315 **negotiation of any class or classes of insurance in this state, use a**  
316 **certificate, professional designation or form of advertising expressing**  
317 **or implying in an untrue, deceptive, misleading or false manner that**  
318 **such person has special training, education or experience in advising**  
319 **or servicing senior citizens, unless such person has obtained a**  
320 **certificate, title or designation through completion of a course of study**  
321 **(1) resulting in the awarding of an academic degree to such person that**  
322 **is from an accredited institution of higher education and is in a field**  
323 **related to the activity described in this subsection, as determined by**  
324 **the commissioner, provided the certificate, title or designation is not**  
325 **used in an untrue, deceptive, misleading or false manner, or (2)**  
326 **provided by an organization accredited by the American National**  
327 **Standards Institute or the National Commission for Certifying**  
328 **Agencies, an organization recognized as an accrediting agency by the**  
329 **United States Department of Education pursuant to the Higher**  
330 **Education Act of 1965, 20 USC 1099b, as amended from time to time,**  
331 **or any other organization approved by the commissioner provided the**  
332 **certificate, title or designation is not used in an untrue, deceptive,**  
333 **misleading or false manner.**

334       Sec. 8. Subsection (a) of section 38a-702e of the general statutes is  
335 repealed and the following is substituted in lieu thereof (*Effective July*  
336 *1, 2009*):

337       **(a) A person applying for a resident insurance producer license shall**  
338 **make application to the commissioner on the uniform application and**  
339 **declare under penalty of refusal, suspension or revocation of the**  
340 **license that the statements made in the application are true, correct and**  
341 **complete to the best of the individual's knowledge and belief. The**  
342 **application shall require that the individual state whether such**  
343 **individual will use a certificate, professional designation or form of**  
344 **advertising expressing or implying that such individual has special**  
345 **training, education or experience in advising or servicing senior**  
346 **citizens during the period for which licensure is sought. If such**

347 individual intends to use such certificate, professional designation or  
348 form of advertising, such individual (1) shall also state on the  
349 application what course of study such individual has completed and  
350 whether such individual has been awarded an academic degree as  
351 described in subsection (b) of section 38a-702b, as amended by this act,  
352 or a certificate from an organization listed in said subsection (b), and  
353 (2) shall pay the fee set forth in section 38a-11, as amended by this act.  
354 The commissioner shall not approve the application unless the  
355 commissioner finds that the individual [(1)] (A) is at least eighteen  
356 years of age; [(2)] (B) has not committed any act that is a ground for  
357 denial, suspension or revocation set forth in section 38a-702k, as  
358 amended by this act; [(3)] (C) has completed, where required by the  
359 commissioner, a prelicensing course of study for the lines of authority  
360 for which the person has applied; [(4)] (D) has paid the fees set forth in  
361 section 38a-11, as amended by this act; and [(5)] (E) has successfully  
362 passed the examinations for the lines of authority for which the person  
363 has applied.

364 Sec. 9. Subsection (a) of section 38a-702g of the general statutes is  
365 repealed and the following is substituted in lieu thereof (*Effective July*  
366 *1, 2009*):

367 (a) Unless a person is denied a license pursuant to section 38a-702k,  
368 as amended by this act, a nonresident person shall receive a  
369 nonresident producer license if: (1) The person is currently licensed as  
370 a resident and in good standing in the person's home state; (2) the  
371 person has submitted the proper request for licensure and has paid the  
372 fees required under section 38a-11, as amended by this act; (3) the  
373 person has submitted or transmitted to the commissioner the  
374 application for licensure that the person submitted to the person's  
375 home state, or in lieu of the same, a completed uniform application,  
376 provided an applicant for a surplus lines broker license or limited lines  
377 credit insurance producer license may submit any other application  
378 acceptable to the commissioner; [and] (4) the person's home state  
379 awards nonresident producer licenses to residents of this state on the

380 same basis; and (5) if the person will use a certificate, professional  
381 designation or form of advertising expressing or implying that such  
382 person has special training, education or experience in advising or  
383 servicing senior citizens, the person (A) has submitted a written  
384 statement to the commissioner that such person will use such  
385 certificate, professional designation or form of advertising and that  
386 such person has completed a course of study pursuant to subsection  
387 (b) of section 38a-702b, as amended by this act, and (B) has paid the  
388 fees required under section 38a-11, as amended by this act.

389 Sec. 10. Subsection (a) of section 38a-702k of the general statutes is  
390 repealed and the following is substituted in lieu thereof (*Effective July*  
391 *1, 2009*):

392 (a) The commissioner may place on probation, suspend, revoke or  
393 refuse to issue or renew an insurance producer's license or may levy a  
394 civil penalty in accordance with the provisions of this title, or may take  
395 any combination of such actions, for any one or more of the following  
396 causes: (1) Providing incorrect, misleading, incomplete or materially  
397 untrue information in the license application; (2) violating any  
398 insurance laws, or violating any regulation, subpoena or order of the  
399 commissioner or of another state's commissioner; (3) obtaining or  
400 attempting to obtain a license through misrepresentation or fraud; (4)  
401 improperly withholding, misappropriating or converting any moneys  
402 or properties received in the course of doing an insurance business; (5)  
403 intentionally misrepresenting the terms of an actual or proposed  
404 insurance contract or application for insurance; (6) having been  
405 convicted of a felony; (7) having admitted or been found to have  
406 committed any insurance unfair trade practice or fraud; (8) using  
407 fraudulent, coercive or dishonest practices, or demonstrating  
408 incompetence, untrustworthiness or financial irresponsibility in the  
409 conduct of business in this state or elsewhere; (9) having an insurance  
410 producer license, or its equivalent, denied, suspended or revoked in  
411 any other state, province, district or territory; (10) forging another's  
412 name to an application for insurance or to any document related to an

413 insurance transaction; (11) improperly using notes or any other  
414 reference material to complete an examination for an insurance license;  
415 (12) knowingly accepting insurance business from an individual who  
416 is not licensed; (13) failing to comply with an administrative or court  
417 order imposing a child support obligation; [or] (14) failing to pay state  
418 income tax or comply with any administrative or court order directing  
419 payment of state income tax; or (15) using a certificate, title or  
420 designation or form of advertising expressing or implying in an  
421 untrue, deceptive, misleading or false manner that the insurance  
422 producer has special training, education or experience in advising or  
423 servicing senior citizens without completing a course of study  
424 pursuant to subsection (b) of section 38a-702b, as amended by this act.

425 Sec. 11. Subsection (a) of section 38a-11 of the general statutes is  
426 repealed and the following is substituted in lieu thereof (*Effective July*  
427 *1, 2009*):

428 (a) The commissioner shall demand and receive the following fees:  
429 (1) For the annual fee for each license issued to a domestic insurance  
430 company, one hundred dollars; (2) for receiving and filing annual  
431 reports of domestic insurance companies, twenty-five dollars; (3) for  
432 filing all documents prerequisite to the issuance of a license to an  
433 insurance company, one hundred seventy-five dollars, except that the  
434 fee for such filings by any health care center, as defined in section 38a-  
435 175, shall be one thousand one hundred dollars; (4) for filing any  
436 additional paper required by law, fifteen dollars; (5) for each certificate  
437 of valuation, organization, reciprocity or compliance, twenty dollars;  
438 (6) for each certified copy of a license to a company, twenty dollars; (7)  
439 for each certified copy of a report or certificate of condition of a  
440 company to be filed in any other state, twenty dollars; (8) for  
441 amending a certificate of authority, one hundred dollars; (9) for each  
442 license issued to a rating organization, one hundred dollars. In  
443 addition, insurance companies shall pay any fees imposed under  
444 section 12-211; (10) a filing fee of twenty-five dollars for each initial  
445 application for a license made pursuant to section 38a-769; (11) with

446 respect to insurance agents' appointments: (A) A filing fee of twenty-  
447 five dollars for each request for any agent appointment, except that no  
448 filing fee shall be payable for a request for agent appointment by an  
449 insurance company domiciled in a state or foreign country which does  
450 not require any filing fee for a request for agent appointment for a  
451 Connecticut insurance company; (B) a fee of forty dollars for each  
452 appointment issued to an agent of a domestic insurance company or  
453 for each appointment continued; and (C) a fee of twenty dollars for  
454 each appointment issued to an agent of any other insurance company  
455 or for each appointment continued, except that no fee shall be payable  
456 for an appointment issued to an agent of an insurance company  
457 domiciled in a state or foreign country which does not require any fee  
458 for an appointment issued to an agent of a Connecticut insurance  
459 company; (12) with respect to insurance producers: (A) An  
460 examination fee of seven dollars for each examination taken, except  
461 when a testing service is used, the testing service shall pay a fee of  
462 seven dollars to the commissioner for each examination taken by an  
463 applicant; (B) a fee of forty dollars for each license issued; (C) a fee of  
464 forty dollars per year, or any portion thereof, for each license renewed;  
465 [and] (D) a fee of forty dollars for any license renewed under the  
466 transitional process established in section 38a-784; and (E) a fee of forty  
467 dollars for each license issued and for each license renewed for an  
468 insurance producer who will use a certificate, professional designation  
469 or form of advertising as described in subsection (a) of section 38a-  
470 702e, as amended by this act, and in subsection (a) of section 38a-702g,  
471 as amended by this act, in addition to any fees required under  
472 subparagraphs (A) to (D), inclusive, of this subdivision; (13) with  
473 respect to public adjusters: (A) An examination fee of seven dollars for  
474 each examination taken, except when a testing service is used, the  
475 testing service shall pay a fee of seven dollars to the commissioner for  
476 each examination taken by an applicant; and (B) a fee of one hundred  
477 twenty-five dollars for each license issued or renewed; (14) with  
478 respect to casualty adjusters: (A) An examination fee of ten dollars for  
479 each examination taken, except when a testing service is used, the  
480 testing service shall pay a fee of ten dollars to the commissioner for

481 each examination taken by an applicant; (B) a fee of forty dollars for  
482 each license issued or renewed; and (C) the expense of any  
483 examination administered outside the state shall be the responsibility  
484 of the entity making the request and such entity shall pay to the  
485 commissioner one hundred dollars for such examination and the  
486 actual traveling expenses of the examination administrator to  
487 administer such examination; (15) with respect to motor vehicle  
488 physical damage appraisers: (A) An examination fee of forty dollars  
489 for each examination taken, except when a testing service is used, the  
490 testing service shall pay a fee of forty dollars to the commissioner for  
491 each examination taken by an applicant; (B) a fee of forty dollars for  
492 each license issued or renewed; and (C) the expense of any  
493 examination administered outside the state shall be the responsibility  
494 of the entity making the request and such entity shall pay to the  
495 commissioner one hundred dollars for such examination and the  
496 actual traveling expenses of the examination administrator to  
497 administer such examination; (16) with respect to certified insurance  
498 consultants: (A) An examination fee of thirteen dollars for each  
499 examination taken, except when a testing service is used, the testing  
500 service shall pay a fee of thirteen dollars to the commissioner for each  
501 examination taken by an applicant; (B) a fee of two hundred dollars for  
502 each license issued; and (C) a fee of one hundred twenty-five dollars  
503 for each license renewed; (17) with respect to surplus lines brokers: (A)  
504 An examination fee of ten dollars for each examination taken, except  
505 when a testing service is used, the testing service shall pay a fee of ten  
506 dollars to the commissioner for each examination taken by an  
507 applicant; and (B) a fee of five hundred dollars for each license issued  
508 or renewed; (18) with respect to fraternal agents, a fee of forty dollars  
509 for each license issued or renewed; (19) a fee of thirteen dollars for  
510 each license certificate requested, whether or not a license has been  
511 issued; (20) with respect to domestic and foreign benefit societies shall  
512 pay: (A) For service of process, twenty-five dollars for each person or  
513 insurer to be served; (B) for filing a certified copy of its charter or  
514 articles of association, five dollars; (C) for filing the annual report, ten  
515 dollars; and (D) for filing any additional paper required by law, three



516 dollars; (21) with respect to foreign benefit societies: (A) For each  
 517 certificate of organization or compliance, four dollars; (B) for each  
 518 certified copy of permit, two dollars; and (C) for each copy of a report  
 519 or certificate of condition of a society to be filed in any other state, four  
 520 dollars; (22) with respect to reinsurance intermediaries: A fee of five  
 521 hundred dollars for each license issued or renewed; (23) with respect  
 522 to life settlement providers: (A) A filing fee of thirteen dollars for each  
 523 initial application for a license made pursuant to section 38a-465a; and  
 524 (B) a fee of twenty dollars for each license issued or renewed; (24) with  
 525 respect to life settlement brokers: (A) A filing fee of thirteen dollars for  
 526 each initial application for a license made pursuant to section 38a-465a;  
 527 and (B) a fee of twenty dollars for each license issued or renewed; (25)  
 528 with respect to preferred provider networks, a fee of two thousand five  
 529 hundred dollars for each license issued or renewed; (26) with respect  
 530 to rental companies, as defined in section 38a-799, a fee of forty dollars  
 531 for each permit issued or renewed; (27) with respect to medical  
 532 discount plan organizations licensed under section 38a-479rr, a fee of  
 533 five hundred dollars for each license issued or renewed; (28) with  
 534 respect to pharmacy benefits managers, an application fee of fifty  
 535 dollars for each registration issued or renewed; (29) with respect to  
 536 captive insurance companies, as defined in section 38a-91aa, a fee of  
 537 three hundred dollars for each license issued or renewed; and (30) with  
 538 respect to each duplicate license issued a fee of twenty-five dollars for  
 539 each license issued.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>July 1, 2009</i>	36b-4
Sec. 3	<i>July 1, 2009</i>	36b-7(a)
Sec. 4	<i>July 1, 2009</i>	36b-12
Sec. 5	<i>July 1, 2009</i>	36b-13
Sec. 6	<i>July 1, 2009</i>	36b-15(a)
Sec. 7	<i>July 1, 2009</i>	38a-702b
Sec. 8	<i>July 1, 2009</i>	38a-702e(a)

Sec. 9	<i>July 1, 2009</i>	38a-702g(a)
Sec. 10	<i>July 1, 2009</i>	38a-702k(a)
Sec. 11	<i>July 1, 2009</i>	38a-11(a)

**AGE***Joint Favorable Subst. C/R*

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